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IFW.
Docket No. Krause-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KRAUSE, Robert P.

Serial No.: 09/505,947

Filed: February 15, 2000

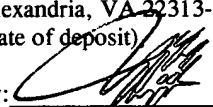
For: FINANCIAL INSTRUMENTS, SYSTEM AND
EXCHANGES (FINANCIAL, STOCK, OPTION
AND COMMODITY) BASED UPON
VOLATILITY

Box Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

) Examiner: Karmanis, Stephano
) Art Unit : 3624
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CERTIFICATE OF MAILING

Pursuant to 37 C.F.R. §1.8(a), I hereby certify that this correspondence is being deposited with the U.S. Postal Service, postage prepaid, for first class mailing to Box Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 7, 2007 (date of deposit)

by: 
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RESPONSE TO OFFICE ACTION

S I R :

Applicant respectfully submits a response to the Office Action signed by the Examiner on December 7, 2006, with traverse and request for reconsideration, as indicated.

REMARKS

Claims 15, 17 and 19 remain in this case. In the Office Action, the Examiner has allowed claim 17, and asserted rejections over claims 17 and 19 under 35 U.S.C. §112.

Respectfully, it would appear that the Examiner is mistaken on his reading of the claims.

In particular, the Examiner asserts that claim 15 has a preamble that recites a "method and system." Yet, according to the undersigned's records, the preamble actually recites "[a]n exchange for the trading of contracts based upon the volatility of an underlying, comprising performance of the following steps:" which then includes both the creation and determination of the contract. Thus, it would appear that the claim is already method-specific and hence no